

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

FILED
RICHARD V. NAGEL
CLERK OF COURT
MAY 13 2025 1:14 P
U.S. DISTRICT COURT
SOUTHERN DISTRICT
OF OHIO-DAYTON

UNITED STATES OF AMERICA,

:

CASE NO.

Plaintiff,

:

3:25 cr 041

vs.

:

INDICTMENT

DANNY DALE GORDON,

:

18 U.S.C. § 1343

Defendant.

:

MICHAEL J. NEWMAN

THE GRAND JURY CHARGES THAT:

BACKGROUND INFORMATION

1. Title 36 of the United States Code sets forth the statutory basis for the federal incorporation and chartering of private and quasi-governmental nonprofit organizations. All Title 36 charters are public laws enacted in accordance with the normal legislative process. The powers granted federal corporations are similar to those granted state corporations.
2. Pursuant to 36 U.S.C. § 10101, all federally chartered private corporations are required to file annual audit reports with Congress detailing their current year income, expenses, assets and liabilities.
3. On July 23, 1947, Congress granted the *American Veterans of World War II, (and later Korea, and Vietnam)* (hereinafter referred to as AMVETS) a federal charter as a nonprofit, patriotic and charitable corporate organization pursuant to Article I, Section 8 of the United States Constitution. (See 36 U.S.C. § 22701 et seq.).
4. Pursuant to 26 U.S.C. § 501(c)(19), AMVETS holds federal nonprofit tax-exempt status as a war veterans organization.

5. Pursuant to 36 U.S.C. § 22707(d), none of AMVETS' corporate income or assets may inure to the benefit of, or be distributed to any director, officer, or member of the corporation, except on dissolution or final liquidation of the corporation.

6. AMVETS Post #24 was formed in Dayton, Ohio in 1944. It is presently located at 1016 Leo Street, in Dayton, Ohio which lies within the geographic boundaries of the Southern District of Ohio.

7. During all times relevant to this indictment, AMVETS Post #24 maintained a series of PNC Bank accounts to include: its primary (general account) XXXX-0293; its instant bingo account XXXX- 7924; its scholarship account XXXX-8801; its raffle account XXXX-1005; and a miscellaneous account XXXX-0862.

8. Beginning on or about January 1, 2022 and continuing through May 14, 2024, defendant **DANNY DALE GORDON** served as the AMVETS Post #24 Commander.

9. As the AMVETS Post #24 Commander, defendant **DANNY DALE GORDON** personally managed and supervised the aforesaid Post #24 PNC Bank accounts. He additionally maintained exclusive control of PNC Bank debit cards bearing account numbers XXXX-3363 and XXXX-2006 during his tenure as Post Commander. These debit cards allowed the defendant to make withdrawals from AMVETS Post #24's primary account XXXX-0293.

10. During all times relevant to this indictment, PNC Bank was a federally insured depository institution pursuant to 18 U.S.C. § 20(1), and as such, all of its deposits were insured by the Federal Deposit Insurance Corporation.

COUNTS 1-15
[18 U.S.C. § 1343]
(Wire Fraud)

11. Paragraphs 1 through 10 of this indictment are hereby realleged and incorporated by reference as if fully set forth herein.

12. Between on or about January 1, 2022 and continuing until on or about May 14, 2024, while in the Southern District of Ohio and elsewhere, defendant **DANNY DALE GORDON** devised and intended to devise a scheme and artifice to defraud AMVETS Post #24, to obtain money and property by means of materially false and fraudulent pretenses, representations and promises.

13. It was part of the scheme that the defendant **DANNY DALE GORDON** falsely and fraudulently transferred and caused to be transferred monies previously deposited in AMVETS Post #24's various PNC Bank accounts to include account numbers XXXX- 7924; XXXX-8801; XXXX-1005; and account XXXX-0862 into the organization's primary account XXXX-0293. He thereafter caused in excess of \$622,000 to be illicitly withdrawn from the organization's primary account using said debit cards. These illicit withdrawals were completed through the use of automatic teller machines (ATMs); debit card point-of-sale purchases and cash withdrawals all of which were used for his personal use, benefit and enjoyment to include: patronizing miscellaneous gambling casinos, payment for out-of-town travel and hotel expenses, and patronizing a Dayton-area "gentlemen's club" all located within the Southern District of Ohio.

14. On or about each of the dates set forth below, while in Dayton, Ohio and other locations within the Southern District of Ohio, defendant **DANNY DALE GORDON** for the purpose of executing the scheme described above, and attempting to do so, caused the following listed

transactions to be transmitted in interstate commerce by means of wire communication in interstate commerce – namely between the Southern District of Ohio and PNC Bank’s main computer server located in Pittsburgh, Pennsylvania, by means of wire communication certain signals and sounds described below for each count, each transmission constituting a separate criminal count.

Count	Date	Amount	Type of Transaction	Address	City/State	Name of Location	Transaction Number	Transaction fee
1	5/7/2024	\$505.99	ATM Withdrawal	4701 Wagner-Ford Rd	Dayton, Ohio	Hollywood Gaming	COHHG-DX05-1496823	\$3.00
2	4/22/2024	\$405.99	ATM Withdrawal	777 Hollywood Blvd.	Dayton, Ohio	Hollywood Gaming	CCPSU04715115299	\$3.00
3	3/5/2024	\$900.00	POS Purchase	777 Hollywood Blvd.	Dayton, Ohio	Hollywood Gaming	POSOHHGDF011432973	N/A
4	3/7/2024	\$203.00	ATM Withdrawal	1016 Leo St.	Dayton, Ohio	AMVETS Post #24	CLK3774081431391	\$3.00
5	3/18/2024	\$203.00	ATM Withdrawal	2250 Patterson Ave.	Dayton, Ohio	AMVETS Post #2003	CRT132985182425	\$3.00
6	1/25/2024	\$202.50	ATM Withdrawal	228 Obell Ct.	Dayton, Ohio	American Legion Post #675	CP1425831330428	\$3.00
7	12/4/2023	\$202.00	ATM Withdrawal	2110 E. Central Ave.	Miamisburg, Ohio	Moose Lodge #1645	UHW0002145372993	\$3.00
8	12/4/2023	\$202.50	ATM Withdrawal	11495 Lower Valley	Medway, Ohio	AMVETS Post #148	UNH0879705372986	\$3.00
9	10/23/2023	\$203.95	ATM Withdrawal	6500 Doubletree Ave.	Columbus, Ohio	Crowne Plaza Hotel	CRT999675299559	\$3.00
10	9/25/2023	\$900.00	POS Purchase	777 Hollywood Blvd.	Dayton, Ohio	Hollywood Gaming	POSOHHGDF015017343	N/A
11	7/10/2023	\$505.99	ATM Withdrawal	6000 St. Rt. 6	Lebanon, Ohio	Miami Valley Gaming	CP2278633058726	\$3.00
12	12/20/2022	\$440.00	ATM Withdrawal	8911 Kingsridge Rd.	Dayton, Ohio	LUST Gentlemen’s Club	UNH1296781372609	N/A
13	12/20/2022	\$440.00	ATM Withdrawal	8911 Kingsridge Rd.	Dayton, Ohio	LUST Gentlemen’s Club	UNH1296781372608	N/A
14	10/20/2022	\$400.00	ATM Withdrawal	182 Woodman Rd.	Dayton, Ohio	PNC Bank	CPX23402362472	N/A
15	10/26/2022	\$403.00	ATM Withdrawal	2195 Tenth St.	WPAFB, Ohio	Area B	C8070771190998	N/A

In violation of 18 U.S.C. § 1343.

A T R U E B I L L

S/

F O R E M A N

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